

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

GLORIA HICKS, *Executrix of the Estate
of Malcolm W. Hicks, deceased,*

Plaintiff,

VS.

BALLY TOTAL FITNESS CORPORATION,

Defendant.

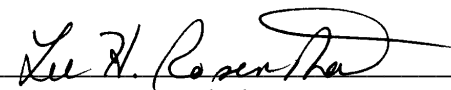
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CIVIL ACTION NO. H-08-3518

ORDER

The plaintiff's Motion for Reinstatement of the Case to the Trial Docket is granted. The parties must file a joint discovery/case management plan by **October 2, 2009**. A status conference is set for **October 16, 2009 at 4:00 p.m.** Counsel may participate by telephone if advance arrangements are made.

SIGNED on September 3, 2009, at Houston, Texas.



Lee H. Rosenthal
United States District Judge